



North Coast Regional Water Quality Control Board

To: Mona Dougherty

From: Kate Hawken

Date: August 24, 2023

Subject: Inspection Report for August 2, 2023, Warrant Inspection of Trinity County Assessor's Parcel Number 019-490-027

File: Cannabis Program Inspections, Trinity County, Pa Vang, CIWQS Place ID 889923

Property Information

County: Trinity

APN: 019-490-027

Owner: Pa Vang

Size: 1.70 acres

Watershed: Middle South Fork Trinity River; Cal Water 106.23; HUC-12 180102120401

Clean Water Act Section 303(d) Listings: Sedimentation/ Siltation and Temperature

TMDLs: 1998 U.S. Environmental Protection Agency South Fork Trinity River and Hayfork Creek Sediment Total Maximum Daily Loads

Regulatory status with the Regional Water Board

Not enrolled

Inspection information

Date: August 2, 2023

HECTOR BEDOLLA, CHAIR | VALERIE QUINTO, EXECUTIVE OFFICER

Type: Warrant

Attendance:

Kate Hawken, North Coast Regional Water Quality Control Board
Ashley Worth and Jennifer VanDyke, California Department of Fish and Wildlife
Law enforcement personnel

Background/Objective:

Inspection objectives for Regional Water Board staff included observing site development and activities and identifying and assessing onsite features or conditions that are causing or may cause adverse impacts to the quality and beneficial uses of receiving waters, including surface and ground water.

Inspection Map

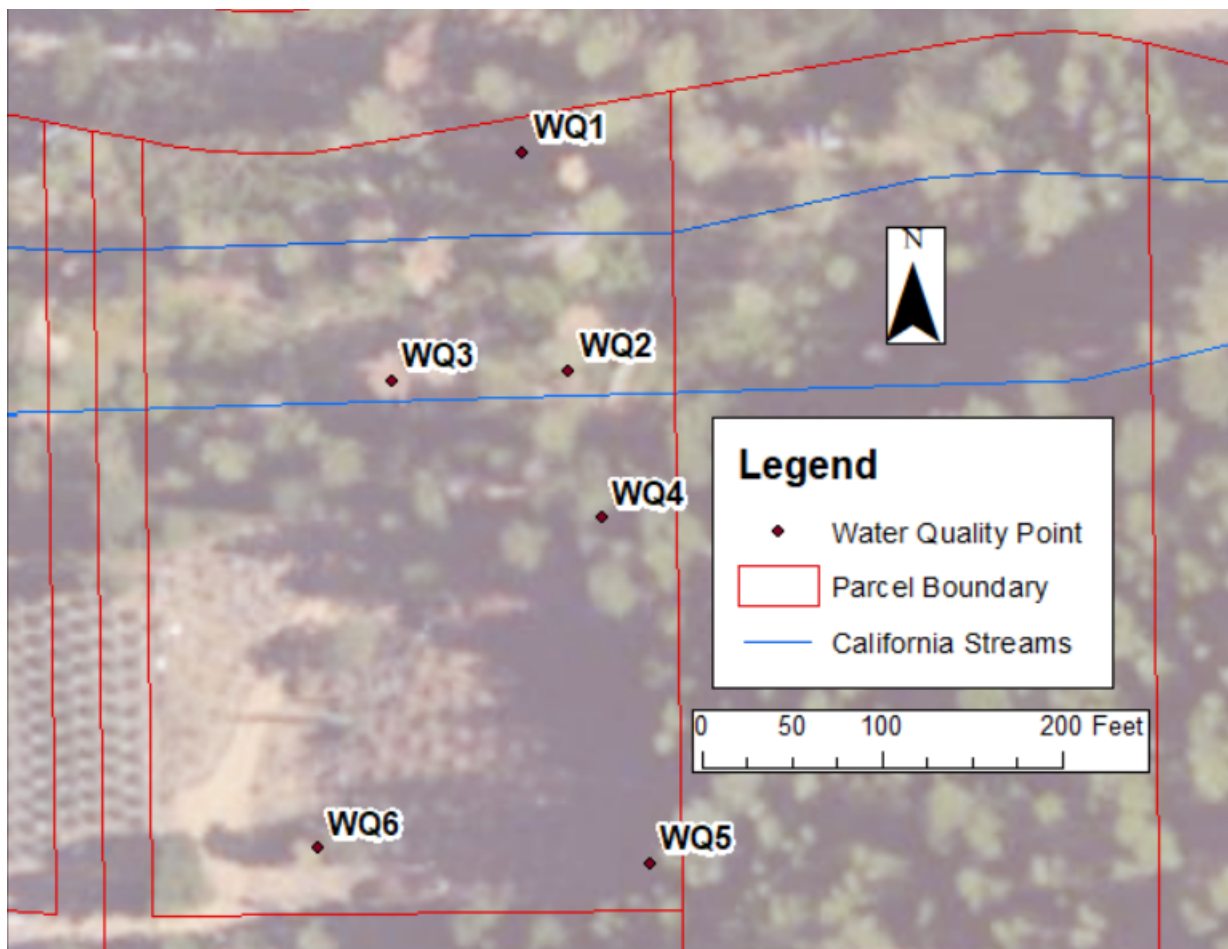


Figure 1: Map of property with parcel boundaries, water quality points, and approximate boundaries of Post Creek.

Inspection Observations

WQ1: I observed a generator and gas within the riparian setbacks to Post Creek (Photo 1). I observed plastic waste and couch cushions in the creek (Photo 2).

WQ2: I observed cultivation and domestic waste in Post Creek and on the bank, including the pesticide RoundUp and a burn pile (Photos 3 and 4).

WQ3: I observed a dirt ford on Post Creek with approximate dimensions of 15 feet by 120 feet (Photo 5). I observed road runoff discharging to the creek (Photo 6).

WQ4: I observed a toilet and bath, with a black discharge pipe beneath pointed in the direction of the creek with the outlet buried (Photos 7 and 8). I observed a well and water storage tank, adjacent terraces with cannabis plants in grow bags (Photos 9 and 10). I observed a bag of Grow More fertilizer leaking (Photo 11).

WQ5: At the top of the property, I observed a generator, oil container, fertilizer containers, and three water storage tanks (Photo 12).

WQ6: I observed a small stream running along the south edge of the property (Photo 13). I observed tire marks through the stream, and cultivation related waste. I observed the stream flows down the access road and connects with Post Creek (Photos 14 and 15).

I left a field notice on the property with the warrant (Photo 16).

A comparison of conditions observed on the site with categories of activities typically associated with water quality concerns at cannabis cultivation sites:

1. Site maintenance, erosion control and drainage features: I observed an access road hydrologically connected to Post Creek, and a tributary diverted down the road.

2. Stream crossing maintenance and improvement: I observed dirt fords on Post Creek and on a tributary to Post Creek.

3. Riparian and wetland protection and management: I observed cannabis plants and trash in the setbacks to Post Creek and its tributary.

4. Spoils management: I did not observe water quality issues associated with spoils management.

5. Water storage and use: I did not observe water quality issues associated with water storage and use.

6. Irrigation runoff: I did not observe water quality issues associated with irrigation

runoff.

7. Fertilizers and soil amendments: I observed a leaking bag of fertilizer.
8. Pesticides: I observed RoundUp stored where it may discharge to Post Creek.
9. Petroleum products and other chemicals: I observed a generator stored without adequate secondary containment.
10. Cultivation-related wastes: I observed waste in and adjacent to Post Creek and its tributary.
11. Refuse and human waste: I observed burnt trash. I observed a toilet with a black pipe discharging human waste to land, and potentially reaching nearby Post Creek.

Recommendations

1. If you and/or your tenant(s) plan to continue commercial cannabis cultivation, enroll for coverage under the State Water Board's Order WQ 2019-0023-DWQ, General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities.
2. Hydrologically disconnect access road from receiving waters. Improve road surfacing to minimize sediment delivery. Install management practices like water bars and rolling dips to dissipate runoff.
3. Relocate all cannabis cultivation activities, supplies, and trash outside of the riparian setbacks (50 feet from Class III, 100 feet from Class II, 150 feet from Class I).
4. Retain a qualified professional to design watercourse crossings to replace the dirt fords and apply for a 401 Water Quality Certification prior to work in stream.
5. Store and contain all chemicals, including fertilizers, pesticides, and petroleum products, properly to prevent spillage and potential for migration/transport into receiving waters. Store generator in an area with secondary containment.
6. Discontinue burning of trash. Regularly contain and dispose of all waste/ trash at a licensed transfer site. Remove trash from creek.
7. Adhere to the California Department of Pesticide Regulation guidance on appropriate pesticide use for cannabis cultivation.
8. Discontinue use of outhouse discharging to land. Adhere to Trinity County regulations on human waste management.

Photos (taken by Kate Hawken on August 2, 2023)



Photos 1 and 2: Generator, gas can, and trash in Post Creek.



Photos 3 and 4: RoundUp and trash in creek (left). Burn pile and trash perched above creek (right).



Photos 5 and 6: Dirt ford on Post Creek (left). Road runoff discharging to creek (right).



Photos 7 and 8: Toilet and bath with discharge pipe pointing towards creek.



Photos 9 and 10: Well and water tanks (left). Cannabis plants on terraces (right).



Photos 11 and 12: Leaking bag of fertilizer (left). Generator, oil, and fertilizers (right).



Photos 13, 14, and 15: Tire marks through tributary stream (left). Stream path down access road (middle). Tributary connecting to Post Creek (right).

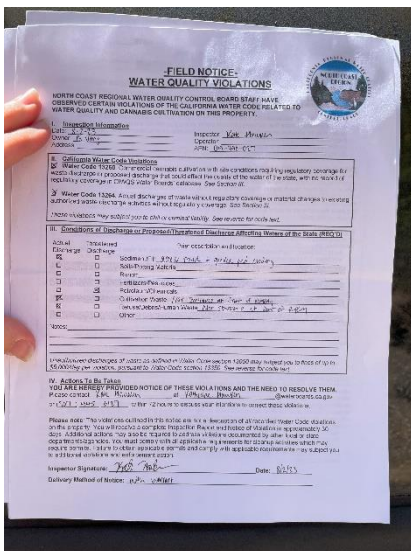


Photo 16: I left a field notice on the property with the warrant.